



SO ORDERED.

SIGNED this 5th day of July, 2017.


 LENA MANSORI JAMES
 UNITED STATES BANKRUPTCY JUDGE

C-13-7a
 (Rev. 01/12)

UNITED STATES BANKRUPTCY COURT
 MIDDLE DISTRICT OF NORTH CAROLINA
 DURHAM DIVISION

| | | |
|-----------------------|-------------------|--------------------------|
| In Re: | | ORDER CONFIRMING PLAN |
| Sidney Broker McNeill | SS# xxx-xx-7819) | CHAPTER 13 |
| 1024 Leaman Road |) | |
| Robbins, NC 27325 |) | |
| |) | |
| |) | Case No. B-17-80241 C13D |
| |) | |
| Debtor(s) |) | |

This case came before the Court, after notice and opportunity for hearing, for confirmation of the Chapter 13 plan proposed in this case; and IT APPEARING to the Court as follows:

- I. The Trustee in this case is Richard M. Hutson II, Standing Trustee, Post Office Box 3613, Durham, North Carolina 27702;
- II. The attorney for the Debtor(s) is John T. Orcutt;
- III. Under the final plan (the "Plan") as proposed:

A. **Plan Payments**

1. The Debtor(s) is/are to make monthly payments to the Trustee which are to be disbursed by the Trustee in accordance with the Plan and this Order;
2. The monthly plan payment to the Trustee is \$751.00 beginning 5/26/2017 then \$1,066.00 beginning 6/2017;

B. **Administrative Costs**

1. **Attorney Fees.** The Attorney for the Debtor(s) is allowed the base fee of \$4,500.00. The Attorney has received \$0.00 from the Debtor(s) pre-petition and the remainder of the base fee will be paid by the Trustee as funds are available.
2. **Trustee costs.** The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses.

C. Priority Claims

Any timely filed claims entitled to priority under 11 U.S.C. §507, on behalf of the entities listed below, will be paid in full in deferred cash payments unless otherwise indicated.

1. Internal Revenue Service
2. North Carolina Department of Revenue
3. Moore County Tax Collector

D. Secured Claims

1. Long-term Debts - To be paid by Trustee.

| Creditor & Property | Claim Filed (Y/N) | Monthly Payment | Monthly Payment to Begin | Arrears Through | Arrears Amount | Monthly Payment on arrears |
|---|-------------------|-------------------------------|--------------------------|-----------------|----------------|----------------------------|
| Ditech Financial LLC 1024 Leaman Road Robbins, NC | Y | \$786.04 (includes escrow) | 07/17 | 06/17 | \$3,213.21 | \$54.46 |

2. Secured Claims To Be Paid In Full - Real Property

| Creditor & Property | Claim Filed (Y/N) | Amount of claim | Monthly Payment | Interest Rate |
|---|-------------------|---|-----------------|---------------|
| Moore County Tax Collector 1024 Leaman Road Robbins, NC | | The debt due Moore County Tax Collector for real property taxes are to be paid through the debtor's(s') escrow account maintained by mortgage holder. | | |

3. Partially Secured Claims - Real Property and Personal Property

Any objection to value is required to be filed as a formal objection to valuation not later than 60 days from the date of the entry of this Order.

| Creditor & Property | Claim Filed (Y/N) | Claim Amount | Secured Amount and Value | Monthly Payment | Interest Rate | AP Payment |
|--|-------------------|--------------|--------------------------|-----------------|---------------|------------|
| Ford Motor Credit Company LLC 2013 Ford | Y | \$9,867.56 | \$6,053.00 | \$173.37 | 5.75% | \$61.00 |
| <u>Ford Motor Credit Company</u> ("the creditor") shall receive adequate protection payments in the amount of <u>\$61.00</u> per month for ten (10) months from confirmation, after which point the Chapter 13 Trustee shall commence equal monthly payments in the amount of <u>\$173.37</u> , until such time as the claim is satisfied. Pursuant to 11 U.S.C. §1325(a)(5)(B)(i), the creditor shall retain its lien against the automobile until the earlier of the payment of the underlying debt determined under non-bankruptcy law or the Debtor's discharge pursuant to 11 U.S.C. §1328. | | | | | | |

E. General Unsecured Claims Not Separately Classified.

General unsecured claims not separately classified will be paid as funds become available after payment of costs of administration. The estimated dividend to general unsecured claims is 0%.

- F. The Debtor(s) will pay **THE GREATER OF** the amount necessary to pay all allowed costs of administration, priority and secured claims in full, with the exception of continuing long term debts, **OR** a **minimum** of **60** monthly plan payments, with the plan to be reviewed in six (6) months and periodically thereafter for plan payment adjustments;
- G. The terms and provisions of the Standing Order dated **March 11, 2016**, are incorporated in this Order and are available on the Court's website at www.ncmb.uscourts.gov.
- H. **IT FURTHER APPEARING** to the Court that the Plan complies with the requirements of 11 U.S.C. §1325; therefore, it is
ORDERED that the Plan is confirmed.

END OF DOCUMENT

PARTIES TO BE SERVED
PAGE 1 OF 1
B-17-80241 C-13D

RICHARD M. HUTSON, II
STANDING TRUSTEE
P.O. BOX 3613
DURHAM, NC 27702-3613